

Date: May 31, 2001

DSL-BQA-01-028

To: Nursing Homes

NH – 16

Supersedes DSL-BQA-01-010

From: Jan Eakins, Chief
Provider Regulation and Quality Improvement Section

cc: Susan Schroeder, Director
Bureau of Quality Assurance

NOTICE FROM HCFA

Verification of Compliance Policies and Setting Sanction Effective Dates

The attached memo from the Health Care Financing Administration (HCFA) revises a memo sent to the states September 29, 2000 that was attached to DSL-BQA-01-010, sent February 19, 2001.

The September 29, 2000 memo from HCFA states that the date of the revisit that confirms compliance is the date the facility is certified as being in compliance. The current memo revises this directive and provides a course of action for certifying compliance based on the seriousness of the noncompliance and the number of revisits that have already occurred.

This revised policy is effective immediately. If you have questions about this policy, please contact Jan Eakins at (608) 266-2055.

Attachments

REVISIT/DATE OF COMPLIANCE POLICY

Revisit #	Substantial Compliance	Old deficiencies corrected but continuing noncompliance at F(no SQC) or below	Old deficiencies corrected but continuing noncompliance at F(SQC), harm or IJ	Noncompliance continues	Any noncompliance
1st revisit	Compliance is certified as of the latest correction date on the approved PoC, unless it is determined that either correction actually occurred between the latest correction date on the PoC and the date of the 1 st revisit, or correction occurred sooner than the latest correction date on the PoC.	<p>1. A 2nd revisit is discretionary if acceptable evidence is provided. When evidence is accepted with no 2nd revisit, compliance is certified as of the date confirmed by the evidence.</p> <p>2. When a 2nd revisit is conducted, acceptable evidence is required if the facility wants a date earlier than that of the 2nd revisit to be considered for the compliance date.</p>	<p>1. A 2nd revisit is required.</p> <p>2. Acceptable evidence is required if the facility wants a date earlier than that of the 2nd revisit to be considered for the compliance date.</p>	<p>1. A 2nd revisit is required.</p> <p>2. Acceptable evidence is required if the facility wants a date earlier than that of the 2nd revisit to be considered as the compliance date.</p> <p>3. A remedy must be imposed.</p>	
2nd revisit	Compliance is certified as of the date of the 2 nd revisit or the date confirmed by the acceptable evidence, whichever is sooner.				<p>1. A remedy must be imposed if not already imposed.</p> <p>2. Either conduct a 3rd revisit or proceed to termination.</p>

A 3rd REVISIT IS NOT ASSURED AND MUST BE APPROVED BY THE RO

3rd revisit	Compliance is certified as of the date of the 3 rd revisit.				Proceed to termination.
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Examples of acceptable evidence may include, but are not limited to:

- An invoice or receipt verifying purchases, repairs, etc.
- Sign-in sheets verifying attendance of staff at in-services training.
- Interviews with more than 1 training participant about training.
- Contact with resident council, e.g., when dignity issues are involved.

Givens:

- An approved PoC is required whenever there is noncompliance;
- Remedies can be imposed anytime for any level of noncompliance;
- Revisits can be conducted anytime for any level of noncompliance;